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[WHOLE NO. 6.]

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A foreigner, unacquainted with the freedom of our political institutions, arriving in this country, is prone to imagine that we have no government whatever. He reads over our public journals, where he beholds such an unbounded licence of animadversion, that he contemplates an immediate rising of the people in rebellion against the government. It is perfectly inexplicable to him that so much opposition should be conducted on paper, without recourse to arms. On his return to his native country, he publishes to the world his own crude conceptions, prognostications, insurrections, divisions, bloodshed and all the horrors of civil war; still these evil prophets find that government goes on quietly, and that these insurrections and rebellions, are only to be found in our newspapers. They cannot conceive that a law should both be resisted, and obeyed, in a constitutional way at one and the same instant of time. We Americans may proudly tell to these foreigners, that both of these parties, and apparently irreconcilable rights, are expressly guaranteed by the constitution of our country. While we obey we have a right to scrutinize the justice, policy, or prosperity of a public law; to expose its defects, to discant on public characters, to arraign their motives, and in short, in all such discussions to recognize no other boundaries than those of truth and honor. The partizans of our administration are thus compelled to enter the list with their opponents, where they fight on equal ground, and precisely with the same weapons with which they are assaulted. As the electionering struggle approaches, their asperities increase, and afterwards die away. Now to an American who has been from his infancy in the full enjoyment 'of rights so inestimable, they appear as things of course, and he is almost insensible of the benefits in his possession. He has never breathed the air of slavery, he has never been taught any other lesson than that he is a freeman, that within the constitutional limits, the President himself, is not more secure than he is; that this charter, while it ensures obedience on the one hand, leaves an expression of opinion equally free on the other. Both of these contending parties are finally brought to the bar of public opinion, and the electionering verdict, decides the merits of this controversy between the contending parties. This is a sentence of the highest tribunal recognized by the laws, and the constitution of our country; and it is a sentence from which there is

no appeal. These are the distinctive characteristics of American rights, for which their ancestors have moistened the battle field with their blood, and which their posterity enjoy unimpaired to the present hour. We must not wonder therefore, that when foreigners visit us, they are surprised and astonished at the extent of our privileges. While they stigmatize and upbraid us as a rebellious nation, incapable of any government short of the sword, they pay, in part, the highest, altho' an involuntary compliment to the freedom of our civil and political institutions. They manifest to the world their utter ignorance of the American character. One foreigner, for instance, remarks thus, that "when congress are out of session, the American government is no where to be found. The President, and all his secretaries, retire to their respective farms, and at the seat of government, nothing but the clerks, and understrappers of office are remaining." All this is true; but what is the inference! Why forsooth, that the Americans have no government! And yet this foreigner will discover all the machinery of an organized government going on; no tumult beyond the newspapers; no riot, no disturbance; the foreigner beholds agriculture still flourishing; the whitening of commerce expanding to every breeze—he hears the clang of industry resounding from the anvil—he beholds the turbulent bustle of business—our streets swarming with enterprize; he hears the incessant roar of our carriages and drays upon the pavements. Our stores crowded with merchandise—he beholds an adventurous population disturbing the haunts of the savage in his gloomy wilderness, and founding temples dedicated to the service of the Deity upon their cabins—he beholds our alpine strides to national grandure; and after all these heart cheering evidences of prosperity, denies that our country has any government, because our chief magistrate, has neither a palace, a crown, or a sceptre. We can tell such foreigners, that it is this which constitutes the peculiar glory of Americans. We can tell them that there are thousands and thousands, of private characters in the United States, every way qualified to perform the duties of the President, who would not surrender their domestic quiet and independence, for twice the salary of our chief magistrate. The first magistrate in this country, is in no way, but that of a public servant, different from a private citizen; he rises into public honor, and then relapses into the general mass of the community, and

does the duty of a private citizen again. This is what we Americans, understand by the term equal rights. This is what we have been taught to believe is a government on the one hand, and perfectly reconcilable to freedom of opinion on the other.

MR. PINKNEY.

The following portraite of the oratorical character of the Hon. William Pinkney, late attorney general for the United States, we extract from "sketches of American orators," No. 1. a small pamphlet written by a gentleman in this city, and lately published in Baltimore, by Fielding Lucas, Jr. who informs us the author will continue a series of numbers, to 6 or 8, on miscellaneous subjects, if the public decide in their favor. The 2d number is in press. From the limited opportunity we have had to judge, we believe he has drawn Mr. Pinkney to life.

MR. PINKNEY, of Baltimore, has occupied a large space in the public eye, as an advocate, since his return from Europe. In admitting popular fame as an evidence of merit in a public speaker, there are sometimes extraneous circumstances which should be taken into consideration. Of these several have combined to make Mr. Pinkney's name more familiar to the American people, than his mere forensic abilities, great as they certainly are, would have done. His residence in England during several years of important intercourse with its government, in a high station of national confidence; his appointment to the office of attorney general on his return, and his continuance as a successful practitioner at the federal court since his resignation, have all offered advantages for the extension of his professional popularity, subordinate only to the claims derived from his consummate abilities. Many persons, without considering how much of Mr. Pinkney's fame is fairly to be ascribed to these adventitious circumstances, have allowed him to occupy the first station at the American bar. Divesting him of these borrowed attractions, of which he stands in no need, let us examine the justice of his pretensions to this captivating superiority.

His person is muscular and vigorous. His face broad, large, and red, with an expression of strong, good sense, rather than of vivacity or genius. His whole appearance is that of one who has been accustomed to bodily labour, more than to intellectual exertion. He is a young looking man for his age, and even its marks seem the traces of labour, more than of time.

His manner of speaking, I have been told, is very much that of Westminster hall. It is certainly new among us, and appears to be affected. His body is sometimes thrown forcibly forward, and then drawn violently back: his fists often clenched, and his arms, which are never much raised, bent before him in the attitude of a boxer. Sometimes he appears to bear the argument on his shoulder, and, like Sisyphus, to heave it with labour up a high hill; the simile however goes no further, it seldom recoils upon him. His whole action is too constrained to be graceful, but it is often very im-

pressive. It wants variety, ease, and moderation. His voice is soft and strong, but not musical in its tones or cadence: its changes are occasionally abrupt, which produces the effect of harshness.

His ambition is intense and ever-burning. During his diplomatic mission abroad, he was far from relaxing the severity of his forensic exercises. Like Achilles, tho' withdrawn from the field, his arm was not unnerved in indolent repose. He obtained in his recess a Vulcanian armour, and renewed the battle with a freshness of strength, a vigor of exertion, more propitious to victory than unremitted contention might have proved. He saw in England the first models of parliamentary and of forensic oratory, which the last fruitful age produced: he was long enough there, not only to discipline his manner, but to enrich his diction, by intermixing the more varied and splendid phrase of its literary circles. It was with all these advantages, increased by the expectation with which we look on the first exertion of talents which have already adorned their profession, that Mr. Pinkney resumed his place in 1812. He has surpassed every conjecture that had been formed of his improvement. He has great address in the management of his cause in all the stages of its preparation for argument: he is studious to engage his adversary exactly on that ground, which he thinks most advantageous to his client; he opens the case to the court in a luminous and rapid narrative, shews the important points of it in the strongest light; and fortifies his positions with reason, rather than with authority. He delights to recur to those great fundamental principles of human intercourse, which have so often tasked the powers of the deepest research, the most varied learning, and the most splendid imagination. Hence some of the most glittering shafts of his quiver, are drawn from the rich and magnificent armoury of Hooker and Chillingworth, weapons of celestial temper! Then his energy is wielded so directly against his antagonist, that he imparts the animation of contest to every thing he says. This is a main ingredient of the interest with which we listen to Mr. Pinkney. It is not a tranquil discussion, but an intellectual battle. His client and his claims are frequently forgotten, in the interest with which we behold his patron extricate himself from a breach made in his fortifications, or the rage with which he pursues the flying adversary of a defenceless cause. He then pours with uncontrollable fury the *ardentia verba* in precipitate torrents: which united to his vehement, I had almost said angry manner, make his eloquence characterised by the most irresistible impetuosity; it is a conflagration ravaging the earth. There is a dazzling brightness in all his conceptions, and almost painful glare, which requires relief in softer shading, milder imagery, and less burning words. This splendor of diction, and magnificence of metaphor, which is diluted in Burk's eloquence by so many gentler touches, is never over-powering, because we are prepared for the blaze of his meridian brightness, by the gradual succession of Aurora to Lucifer, and of the sun to Aurora; but the impatient ardour of Mr. Pinkney's genius is never satisfied, until, like "the prince of the lights of heaven," it burns in its noon-tide path, and quenches the ray of every other star. A little more moderation in his manner, and a more marked gradation in the progress of his aspiring mind, would give richness and variety to all his exhibi-

tions. A gentleman who heard the Irish orator Malone, when grown old and feeble, said, that "his eloquence was ocean in a calm." Another replied, had you heard him when young, you had thought it "ocean in a storm." Yes, said a third, "and whether in a calm or a storm, it is among the most beautiful phenomena of nature." To apply this simile to Mr. Pinkney, his eloquence is too constantly tempestuous. It is not improbable however, on the supposition that he continues his exertions with unabated ardor, that though now past the middle age of life, he may hereafter exhibit a greater variety of beauties as the ocean subsides, than he has ever yet done in the loudest tumult of its waves. Those billows which are ever black with impending tempests, may, when the winds of evening have dispersed the clouds that darken the mid-day sky, form a combination of beauties, of foaming summits, of azure sides, lighted by rays of a descending sun, and shaded by intervening acclivities of water, altogether composing a prospect more lovely, though it may be less sublime. Boisterous as he now is, we are exhausted by his vehemence, and implore a respite from painful wonder, in simple admiration or softer pity. But the inexorable champion spares neither the timid antagonist, nor the impatient hearer. He perpetually defies the one, and exacts the homage of the other. Had he fit subjects* to occupy and task his splendid abilities, he would be an overwhelming reasoner, and a powerful declaimer. As I have heard him, there is an almost ludicrous contrast between his gigantic strength, his impetuous rage, his Homeric diction, and the comparative insignificance of his subject. This intemperate fury of Diomed, this positive love of battle, which no consideration of subject or place can curb, is not prepossessing, though it may be chivalrous. On the contrary, this arrogant and strutting manner, while it "denotes the aspiration of his mind," never fails to alienate the hearts of his hearers, however he may dazzle their imaginations. In the midst of his brightness there is no warmth: his speeches though finished, are elaborate; and, in truth, his whole style, matter, and manner, are too studied and artificial. His ornaments are sometimes misplaced, and have always too much the appearance of preparation. Indeed, paradoxical as it may seem, Mr. Pinkney, with his violent manner, his vigorous thoughts, his animated metaphor, is often a cold, and sometimes even a repulsive speaker. This is entirely the effect of affectation, which is, in every form, universally displeasing. Unless one has been so long accustomed to it, as not to perceive its existence, as is already the case with many of Mr. Pinkney's more devoted admirers. This circumstance gives a real orator the power of modifying public taste to his own standard, which, we learn in the dialogue on oratory sometimes attributed to Tacitus, but more generally to Quintilian, Cicero did. If Mr. Pinkney's eloquence should become an object of imitation, his followers should endeavour to unite more feeling to his beautiful declamation. His exhibitions put one in mind of splendid winter scenery, of forests and mountains glittering with sleet, very brilliant to the eye but cold to the feeling; while, in Mr. Emmet's we see a summer's prospect of natural

luxuriance and verdure, which dazzles less but charms more. Unless Mr. Pinkney varies his manner, and becomes more natural, I think the public will become weary of his perpetual affectation of the same things.—This uniformity does not indicate a genius of the first order, which alternately awes by its terrible force, and charms with its tender persuasion; which is sometimes a trumpet of war, inspiring courage or striking trepidation; and then a shepherd's horn, before the first breath of morning has shaken a leaf of the forest, the hills re-echo its mellow notes, the streams unite their soft murmurs, and all nature responds to its thrilling vibrations.

FOREIGN.

THE HOLY LEAGUE.

We shall now present to the public, a document no less singular, than important. The three great potentates of Europe, the emperors of Austria, and of Russia, in confederacy with the king of Prussia, have solemnly recognized the christian religion, as the only binding law amongst princes. They express their determination to make this law their rule of action both as men, and as monarchs. They invite all christian princes to join this confederacy, assuring them of a welcome and hearty reception. Whether these potentates will be enabled to act upon this solemn determination, to the full extent which they evidently contemplate, yet remains to be seen. It is manifestly their intention to discourage the arbitration of the sword in the controversies of independent nations. To act up to the full extent of their determination, such controversies must be referred for adjustment to a friendly and neutral power, who will be perfectly disinterested in the decision which he forms. If either party refuses to abide by such a decision, he will have all confederated Europe in arms against him. Such a formidable confederacy will render resistance hopeless. It is much to the shame and scandal of civilized and christian nations, that this mode of deciding their controversies has not long since been adopted. That there should be no mode of appeal but the sword, in the controversies of independent nations—that sovereigns should be allowed, at their free will and pleasure, to shed the blood of their subjects—that there should be a law, which protects them in their persons and property, when their rights are invaded by their fellow subjects—but none to restrain their sovereigns from sacrificing them by thousands, at once presents a phenomenon, equally true and incredible. It never seems to have entered into the imagination of statesmen, that *the greatest danger to a subject is from his own sovereign*: that the prince when fascinated by the glare of false glory, leads his people to the field to be sacrificed—and that he who can boast of the greatest number of

* Crescit enim cum amplitudine rerum vis ingenii, nec quisquam clarum & illustrem orationem efflicere potest nisi qui causam parum invenit. Non opinor Demosthenem orationes illustrant quas adversus rotiores suos composuit: nec Ciceronem, magnam oratorem P. Quinctius defensum aut Lacinium Archias fuisse: Catilina & Milo & Verres & Antonius hanc illi famam circumdederunt.

[De Orat. Dial. c. 77.]

human corpses wins the proud character of a conqueror. It has been said indeed that independent nations acknowledge no superior, and what is the inference! It is plainly this, that the sovereigns of these countries are emancipated from all the bonds of human nature. They claim the liberty of leading thousands and tens of thousands to their death, whenever in a wanton freak, they deem it expedient to sport with the blood of their subjects.

This state paper does not bear the signature of sovereigns, who have adopted these ideas from motives of caprice. They are monarchs who have still all the miseries of war; who have been made familiar to the sight of smoking hamlets, starved villages, and remnants of men halting from the field of battle. They are deeply and awfully impressed with truths so momentous. We have been led to hope that this paper is preparatory to a great and beneficial change hereafter to be brought about in the condition of man; that these allied monarchs in conjunction with all other christian kings, and potentates; will be able to frame an amicable mode of adjusting controversies between independent kingdoms and states.

Translated for the Boston Daily Advertiser.

In the name of the Holy and Indivisible Trinity. Their majesties, the emperor of Austria, the king of Prussia, and the emperor of Russia, in consequence of the great events which have distinguished, in Europe the course of the three last years, and especially of the blessings which it has pleased divine providence to shed upon those states, whose governments have placed their confidence and their hope in it alone, having acquired the thorough conviction, that it is necessary for insuring their continuance, that the several powers, in their mutual relations, adopt the sublime truths which are pointed out to us by the eternal religion of the Saviour God;

Declare solemnly that the present act has no other object than to show in the face of the universe their unwavering determination to adopt for the only rule of their conduct, both in the administration of their respective states and in their political relations with every other government, the precepts of this holy religion, the precepts of justice, of charity and of peace, which far from being solely applicable to private life ought, on the contrary, directly to influence the resolution of princes, and to guide all their undertakings, as being the only means of giving stability to human institutions, and of remedying their imperfections.

Their majesties have therefore agreed to the following articles.

ART. I. In conformity with the words of the holy scriptures, which command all men to regard one another as brethren, the three contracting monarchs will remain united by the bonds of a true and indissoluble fraternity, and considering each other as co-patriots, they will lend one another on every occasion, and in every place, assistance

aid, and support; and regarding their subjects and armies, as the fathers of their families, they will govern them in the spirit of fraternity with which they are animated, for the protection of religion peace and justice.

ART. II. Therefore the only governing principle between the above mentioned governments and their subjects, shall be that of rendering reciprocal services; of testifying by an unalterable beneficence the mutual affection with which they ought to be animated; of considering all as only the members of one christian nation, the three allied princes looking upon themselves as delegated by providence to govern three branches of the same family; to wit: Austria, Prussia, and Russia: confessing likewise that the christian nation of which they and their people form a part have really no other sovereign than him to whom alone power belongs of right, because in him alone are found all the treasures of love of science and of wisdom; that is to say God, our divine Saviour Jesus Christ, the word of the most high, the word of life. Their majesties therefore recommend, with the most tender solicitude to their people as the only means of enjoying that peace which springs from a good conscience and which alone is durable, to fortify themselves every day more and more in the principles and exercise of the duties which the divine Saviour had pointed out to us.

ART. III. All powers which wish solemnly to profess the sacred principles which have dictated this act, and who shall acknowledge how important it is to the happiness of nations, too long disturbed, that these truths shall henceforth exercise upon human destinies, all the influence which belongs to them, shall be received with as much readiness as affection, into this holy alliance.

Made, tripartite and signed at Paris, in the year of our Lord 1815, on the 14th (26) of September.

FRANCIS,
FREDRIC WILLIAM,
ALEXANDER.

A true copy of the original.

ALEXANDER.

St. Petersburg, the day of the birth of our Saviour, the 25th of December, 1815.

ST. PETERSBURG, JAN. 13.

The following is the manifesto which his imperial majesty, published on christmas-day.

"By the grace of God, we, Alexander the first, emperor and autocrat of all the Russians, &c. hereby make known.

"As we have seen from experience and from the unhappy consequences that have resulted for the whole world, that the course of the political relations in Europe, between the powers has not been founded on those true principles upon which the wisdom of God in his revelation has founded the peace and prosperity of all nations.

"We have consequently, in conjunction with their majesties the emperor of Austria, Francis the first, and the king of Prussia, Frederick William, proceeded to form an alliance between us, to which the other christian powers are invited to accede, in which we reciprocally engage, both between ourselves and in respect to our subjects, to adopt as

the sole means to attain this end, the principle drawn from the words and doctrine of our Saviour Jesus Christ, who preaches not to live in enmity and hatred but in peace and love. We hope and implore the blessing of the most High; may this sacred union be confirmed between all the powers, for their general good, and deterred by the union of all the rest, may no one dare to fall off from it. We accordingly subjoin a copy of this union, ordering it to be made generally known, and read in all the churches.

"St. Petersburg on the day of the birth of our Saviour, 25th December, 1815.

"The original is signed by his imperial majesty's own hand.

"ALEXANDER."

UKASE.

From the emperor Alexander, to the committee for the clerical schools in Russia.

Having approved of every thing that the committee for the clerical schools, in their report of the 27th of that month, (August) have laid before me, I consider it necessary to explain my own views respecting the education of those who are destined for the church. As in the first academical course of the college of Alexander Neffsky, which is now concluded, teachers have been trained for the clerical schools, in the districts of St. Petersburg, and Moscow; it is my wish, that the committee may direct their attention not only to these newly trained teachers, but also to the schools themselves; that, in the fullest sense of the word, they may be formed into *schools of the truth*. The true enlightening of the mind, must be produced by that light, which *shineth in the darkness, and the darkness comprehendeth it not*. By following in every instance, this light, those who are learning will be directed to the true course of knowledge, through the means which the gospel displays to us, in the most sublime, (beautiful) simplicity, and the most perfect wisdom; saying, *Christ is the way and the truth and the life*. Let then the sole object of these schools be, the educating of the youth to active christianity; on this may be founded all those instructions which are requisite for their future destination, without fearing the misleading of the understanding, which will then be subordinate to the light of the supreme being.

I am convinced that the committee for the clerical schools, will (imploing the Lord's assistance) use all their exertions to accomplish this end, without which no true benefit can be looked for.

(Signed)

ALEXANDER.

LONDON, Feb. 8.

The transport Seahorse, has been wrecked near Tramore. She was returning to England with the 59th regiment, which had been engaged in the battle of Waterloo. Twelve officers, 262 soldiers, 14 sailors, 30 women, and 48 children, were lost—only 32 persons were saved.

PUBLIC DOCUMENTS.

THE TREATY QUESTION.

Report of the committee appointed on the part of the house of representatives to confer with the committee on the part of the senate, on the disagreeing

vote of the two houses, upon the bill concerning the convention to regulate the commerce between the territories of the United States and his Britannic majesty.

"The committee appointed on the part of the house of representatives, to confer with the committee of the senate, on the subject of the disagreement of the latter, to certain amendments proposed by the house to a bill from the senate, entitled "a bill concerning the convention to regulate the commerce between the territories of the United States and his Britannic majesty," with a view to guard against misapprehension, to give greater precision to discussions of the conference, and to reduce into as narrow a compass as possible, the points of difference between the two branches of the legislative body, have deemed it advisable to submit to the committee of the senate, the reasons which have governed the house in its determinations, in the shape of a written communication.

"It is not to be concealed that the disagreement between the two houses, has originated in a question in relation to their respective constitutional powers; but the committee of the house of representatives is not without a hope, that the diversity of opinion on this interesting and important question, is not so material (at least in its operation upon the specific subject before the legislative body) as at first view it might appear. Without entering upon an extensive inquiry in relation to the treaty-making power, the committee will venture to define, as accurately as they can, the real line which at present divides the contending parties. It is of less importance to ascertain how far they have *heretofore* disagreed, or may *hereafter* differ, than to discover what it is precisely that *now* divide them.

"In the performance of this duty, the committee of the house of representatives are inclined to hope, that it will sufficiently appear, that there is no irreconcilable difference between the two branches of the legislature.

"They are persuaded, that the house of representatives does not assert the pretension that *no* treaty can be made without their assent; nor do they contend that in *all* cases legislative aid is indispensably necessary, either to give validity to a treaty, or to carry it into execution. On the contrary, they are believed to admit, that to *some*, nay many treaties, *no* legislative sanction is required, *no* legislative aid is necessary.

"On the other hand, the committee are not less satisfied, that it is by no means the intention of the senate to assert the treaty-making power to be in *all* cases independent of the legislative authority. So far from it, that they are believed to acknowledge the necessity of legislative enactment, to carry into execution all treaties which contain stipulations requiring appropriations, or which might bind the nation to lay taxes, to raise armies, to support navies, to grant subsidies, to create states, or to cede territory; if indeed this power exists in the government at all. In some or all of these cases, and probably in many others, it is conceived to be admitted, that the legislative body must act, in order to give effect and operation to a treaty; and, if in *any* case it be necessary, it may confidently be asserted, that there is no difference in *principle* between the houses—the difference is only in the *application* of the principle.

ple. For if, as has been stated, the house of representatives contend that their aid is *only* in some cases necessary, and if the senate admit that in some cases it is necessary, the inference is irresistible, that the only question in each case that presents itself is, whether it be *one* of the cases in which legislative provision is requisite for preserving the national faith, or not.

"This appears to the committee to be by no means an unimportant point gained. Its influence upon the feelings with which the two bodies will naturally approach questions of this description, may be of no trivial consequence; for, as every case, according to this course of reasoning, would appear to rest upon its own foundation, there is less danger of its being drawn into precedent, and, therefore, less occasion for solicitude in regard to it. It is a view of the subject therefore calculated to harmonize, and to enable us to yield at all times to the application of another principle, which the committee deem of the utmost consideration on all such occasions.

"The committee allude to the principle which inculcates the propriety of always taking care, if we do err, to err on the *safe side*. Should congress fail to legislate where legislation is necessary, either the public faith must be broken, or, to avoid that evil, the executive branch of the government must be tempted to overstep the boundaries prescribed by the constitution. If, on the contrary, congress should legislate where legislation is not necessary, the act could only be drawn into precedent in a case precisely similar; because, upon the principle assumed, "*that each rests upon its own circumstances*," it never could serve as a precedent, save where those circumstances are the same. Nor is it, indeed, unimportant to mention, that there is little danger of much respect being paid to precedents, upon great constitutional questions. Conscience will always burst the trammels of precedent, unless restrained by reason.

"The committee, therefore, believe, that it is safer, in every doubtful case, to legislate, and by the joint act of the whole congress, to give authority to the execution of the stipulations of a treaty by the executive, than to leave a doubtful case, without the sanction of the legislature, to tempt the executive to overleap its proper bounds, or to endanger the public faith by a failure to perform the provisions of a treaty which has received a constitutional ratification. The very case under discussion may furnish us with an instance. The senate believe legislation unnecessary. The house regard it as indispensable. What is the opinion of the president? Should he believe a law necessary, and should no law pass, he would be reduced to the alternative of breaking the constitution or the treaty. He must either set at nought the supreme law of the land, or jeopardize the national faith and the national peace.

"It is of importance too, to consider that if the legislative body, from the considerations above suggested, should legislate in every doubtful case, there would in all cases be less danger of a former proceeding being drawn into precedent; so that the committee are sanguine in the belief, that whilst such a course is calculated to avoid difficulties, on the one hand, it has no tendency to increase them on the other.

"The committee perceive with satisfaction, that on the present occasion the two houses ap-

pear to have approximated in their opinions, and that, as far as can be discerned, the senate are disposed to act upon the principles that have been suggested. They allude to the passage of the bill in question by that body, in its original form: an act which manifests unequivocally the conviction of the senate, either that the late convention does require legislative aid to effectuate its provisions, or that in doubtful cases they ought to lean in favor of legislation.

"Both houses having thus united in the opinion that a legislative act is necessary, the senate having clearly assented to the propriety of passing a law, the committee wave any argument on the necessity of a legislative act. It only remains to consider whether the scheme of the house of representatives, or the bill of the senate, is best calculated to effect the object of legislation. The committee will succinctly offer the reasons, which, as they believe, support the correctness of the amendments of the house of representatives.

"The first amendment proposed, is to strike out the word "*declared*," the insertion of which, in the enacting clause of the law, has not appeared to the house to be justified by the usages of the legislative body. The committee are not at liberty to divine what may have been the reasons which prompted its insertion, and until those reasons shall be detailed by the committee of the senate, if indeed the use of the term originated in any particular motive, they do not feel disposed to enter at random upon their examination. It forms, in their estimation, a sufficient objection to the phraseology alluded to, that it departs from the accustomed style of the acts of the congress of the U. States.

"The second amendments consist in a substitution of provisions, in some detail, for the general and indefinite terms of the bill from the senate. The committee will suggest the following deficiencies in the *bill*, which are believed to be supplied by the *amendments*.

"1. The original bill from the senate is defective, because it wants a commencing clause; for though it be true that a commencing clause is not *always* necessary, yet it is certainly requisite where an act is intended to have a retrospective operation. If this act, then, be necessary at all, it is *as* necessary that it should operate on cases that have happened heretofore as hereafter; but without a commencing clause (such as is introduced into the amendment) it *cannot* operate on cases which have happened since December 22d, and before the act passes. Here then is one deficiency that it has been attempted to supply.

"2. The original act has no clause of *limitation*. It amounts to an actual and permanent repeal forever of the acts in conflict with the treaty, instead of operating as a suspension or repeal of them during the term of four years, as stipulated by the convention. Here then is a second defect, which it has been attempted to supply by the amendment.

"3. The committee believe it most advisable, in legislating upon the subject of this convention, that the act should be less general in its phraseology than the bill, as it originally passed the senate. Instead of a general declaration, that "*all acts contrary to the convention should be deemed to be of no effect*," the house of representatives have supposed it more advisable to adopt provisions more definite and specific. It has been sup-

posed, indeed, to be peculiarly necessary in the present case: for, as one of the reasons which appeared to them to induce the necessity of a law, was founded in the supposed legislative discretion to produce the stipulated equalization, either by raising American tonnage and duties, or taking off the additional tonnage and duties from British vessels, it appeared to the house, and does also appear to the committee, that the legislative provision should, on this subject be less general, than the bill passed by the senate. An act merely repealing all laws in conflict with the convention might leave to construction what ought rather to be ascertained by law; and the house and its committee have not, therefore, hesitated to prefer what was most certain, to what is least so.

"Because, therefore, the bill from the senate appears to the house, and to this committee, defective, in wanting a proper commencing clause; in the omission to limit it to a period of four years, in conformity with the convention; and in the want of a sufficient certainty and definite provision; and because a term has been inserted in the enacting clause unusual and unaccustomed in the acts of this legislature,

"The house of representatives and this committee prefer the bill, as amended, to the bill in its original form, as passed by the senate."

The committee of the senate declined pursuing this mode of communication, as unusual, and calculated, in their belief, rather to defeat than to promote the object of the conference, an agreement between the two bodies on the subject of dispute. Willing, however, to consider the statement after it was read, as if made in the ordinary form, they proceeded to explain the opinions of the senate on the points of difference.

Without attempting to follow the course of the observations pursued by the committee of the senate, it will probably be deemed sufficient to state, the general impression made by them.

Your committee understood the committee of the senate to admit the principle contended for by the house, that whilst some treaties might not require, others may require, legislative provision to carry them into effect.

That the decision of the question, how far such provision was necessary, must be founded upon the peculiar character of the treaty itself. As to the late convention, the immediate subject of controversy, the senate doubted whether any act of legislation was necessary, but since it was deemed important by the house that an act should be passed, they had no objection to give it their sanction—provided a precedent was not established binding them hereafter to assist in passing laws, in cases on which such doubts might not exist.

With these views, on the part of the senate, their committee proposed such an alteration of the bill of the senate, as would obviate the several objections urged by your committee, excepting that which was suggested to the introduction of the words "and declared," in the enacting clause. The retention of these words was considered by the senate expedient, with a view of giving to the bill a declaratory, as well as an enacting form. It was said also, that they were not unprecedented, they were to be found in the acts of congress not declaratory in their nature, and might be considered as not affecting the character of the present bill. Believing that these words are mere surplusage, not changing the character,

or impairing the force, of the legislative act; that they have been introduced into previous acts of congress; that no agreement could take place between the two houses, without permitting them to remain, your committee consented to recommend to the house to recede from the first amendment to the senate's bill, and to agree to the following modifications of it, in the place of the amendments previously adopted:

Line 2d, after the word "act," strike out the words "or acts as is," and insert these words, "as imposes a higher duty of tonnage or of impost on vessels, and articles imported in vessels of Great Britain, than on vessels and articles imported in vessels of the U. States.

Line 4th, strike out the word "shall" and after the word "be," insert the words "from and after the date of the ratification of the said convention, and during the continuance thereof."

IN SENATE.—February 26, 1816.

Mr. KING made the following report:

The conferees of the senate have met and conferred with those of the house of representatives on the subject of the disagreeing votes of the two houses upon the bill entitled, "An act concerning the convention to regulate commerce between the territories of the U. States and his Britannic majesty," and report—

That the conferees of the house of representatives commenced the conference by stating that of the treaties made in pursuance of the constitution while some might not, others may require the enactment of laws to carry them into execution; and considering the convention with England as a treaty of the latter kind, the conferees of the house of representatives made the following objections to the bill passed by the senate;

1st. That by the addition of the word "declared" to the usual formula, instead of a bill of positive enactment, it assumes the form of a declaratory law.

2d. That the bill is defective, because its commencement is uncertain.

3d. That it is defective, because its duration is uncertain.

4th. That it is furthermore defective in respect to the equalization of duties; it being uncertain whether, for this purpose, the native duties are to be raised, or the alien duties abolished.

The conferees of the senate did not contest, but admitted the doctrine, that of treaties made in pursuance of the constitution, some may not, and others may call for legislative provisions to secure their execution, which provision congress, in all such cases, is bound to make. But they did contend, that the convention under consideration requires no such legislative provisions, because it does no more than suspend the alien disability of British subjects in commercial affairs, in return for the like suspension in favor of American citizens; that such matter of alien disability falls within the peculiar province of the treaty-power to adjust; that it cannot be securely adjusted in any other way, and that a treaty duly made, and adjusting the same, is conclusive, and by its own authority suspends or removes antecedent laws that are contrary to its provisions.

That even a declaratory law to this effect is matter of mere expediency, adding nothing to the

efficacy of the treaty, and serving only to remove doubts wherever they exist.

The conferees of the senate therefore insisted on retaining the word "declared," in addition to the usual formula of enactment, because it imparts to the bill passed by the senate the character of a declaratory law; a quality without which any law would, in this case, be inadmissible.

A law that declares to be of no force or effect so much of all laws as are contrary to the provisions of the convention, recognizes the existence and authority of that convention; the date and limitations of which must ascertain the commencement and duration of the law, while its stipulations place the people of the two nations on a footing of commercial equality by the abolition of discriminating duties on both sides.

Thus the bill passed by the senate does not appear to be defective in the particulars referred to by the conferees of the house of representatives; nevertheless, as doubts were expressed on this subject, the conferees of the senate proposed certain amendments for the purpose of removing those doubts, and confirm the intentions and meaning of the bill.

The conferees of the senate, therefore, recommend to the senate, to insist on their disagreement to the amendments made to the bill by the house of representatives, and to agree to the following amendments to the bill, which have been mutually agreed to by the conferees of the two houses:

Line 2d, after the word "act," strike out the words "or acts as are," and insert these words, "as imposes a higher duty of tonnage or of impost on vessels and articles imported in vessels of Great Britain than on vessels and articles in vessels of the U. States."

Line 4. Strike out the word "shall," and after the word "be," insert these words, "from and after the date of the ratification of the said convention, and during the continuance thereof."

The report was concurred in by the senate, as already stated.

ROADS AND CANALS.

IN SENATE, Tuesday, Feb. 6.

The committee appointed on so much of the president's message, as relates to roads and canals

REPORT:—

That a view of the extent of territory, the number and magnitude of navigable lakes, rivers and bays; the variety of climate, and consequent diversity of productions embraced by the United States, cannot fail to impose the conviction, that a capacity exists in this country to maintain an extensive internal commerce. The variety of productions peculiar to the several parts, invites to the prosecution of a commerce of the most interesting kind. A commerce internal, subject solely to the regulations of the country, not dependent on, or materially affected by the vicissitudes of foreign competition, or collisions; the profits on which will rest in the country, and make an addition to the wealth of the nation. Such a commerce will, in its natural tendency, create interests and feelings, consonant with the great interests of the community. Any practicable scheme,

therefore, for the improvements of roads and inland navigation, having for its object the encouragement and extension of a commerce so beneficial, has strong claims to the attention and aid of a government, constituted to promote the general welfare.

Such improvements, executed on an extensive scale, would unquestionably contribute to the general interest, and increase of wealth in the nation—for whatever tends to accelerate the progress of industry, in its various and particular branches, or to remove the obstacles to its full exertion, must in the result, produce that effect. The contemplated improvement in roads and canals, by extending the communication for commercial and personal intercourse, to the interior and distant parts of the union, would bestow common benefits, and give an enlarged facility to the great branches of national industry, whether agricultural, commercial or manufacturing.

The agricultural products, which at present from inconvenient distance, their weight, or bulk, are unportable, could then be carried to a distant market; the reduction on the charge for price; and a ready market, and increased price, enhance the value of the lands, from which the products were drawn.

The general commerce of the country would thereby receive a proportional advantage from the increase of the quantity of articles for exportation, the facility and extension to the vending of imported commodities, as also from a more general consumption, arising from an increased ability in the community to purchase such commodities. To manufacturers, a reduction on the charge for transportation of a raw material and wrought commodity, would be highly beneficial. The beneficial effects on individual interests, and the general wealth in society, arising from a system of cheap conveyance, by artificial roads and canals, does not rest on speculative opinion, or abstract reasonings for confirmation; all doubts, as to the advantages, have been removed by the test of experience in every country where such improvements have been executed on a liberal scale.

To insure to the pursuits of useful industry in a nation, a state of the greatest prosperity, it is only necessary to protect their interests from foreign aggression, to leave them unrestrained by artificial provisions, and to remove, or meliorate, the natural obstacles to their exertion, by public works rendering conveyance practicable and cheap.

Such public works, while they are calculated to subserve the pecuniary interests of every industrious class of the community, are highly important in a political point of view. The citizens, in the most remote parts, would be brought into close connection by a facility to commercial and personal intercourse. The common interests and identity of feelings thence arising, would as a cement to the parts, bind together the whole with the strong bond of interest and affection, giving stability and perpetuity to the union. And as a means of security, tend to increase our capacity for resistance to foreign aggression, by rendering less expensive and more effective, our military operations. The disadvantages experienced, and heavy charges incurred, during the late war, for want of inland navigation along the sea coast, connecting the great points of defence, are of too recent date, and decisive a character, to require any other demonstration that a facility in inland com-

munication, constitutes a principal means of national defence.

It is believed that improvements so important to the political and general interests of society, stand strongly recommended to the attention of the national legislature. The general government alone, possess the means and resources to give a direction to works calculated for general advantage, and to insure their complete execution.

The particular objects of this kind, to which the public aid should be given, the means to be employed, and the mode of applying the public monies, remains to be considered.

The objects are, such artificial roads and canals as are practicable of execution, and which promise a general or extensive advantage to the community; others, of minor importance, that are local in their nature, and will produce only local benefits, will more properly be left for execution, to the means and enterprize of individuals, or to the exertions of particular states. It is, indeed a political maxim, well attested by experience, that wherever private interests are competent to the provision and application of their own instruments and means, such provision and means should be left to themselves.

The great works which are calculated for national advantage, either in a military or commercial view, their execution most depend (at least for aid) on the general government. Wherever great obstacles are to be overcome, great power and means must be employed. To such works the means of associated individuals are incompetent and the particular states may not have a sufficient interest in the execution of works of the most essential advantage to the other parts of the community. In other cases, where interest might be sufficiently operative, the means or the power, may not be possessed, their territorial jurisdiction being limited short of the whole extent of the work.

Among many other objects of improvement in inland navigation and roads, coming within the above description, the following appears to be recommended by their importance to the attention of congress: 1st. Canals opening an inland navigation along the Atlantic sea-coast. 2d. A grate turnpike road from north to south. 3d. Turnpike roads forming communications between the Atlantic and western rivers. 4th. Military roads communicating with the frontier posts; and, 5th. A canal around the falls of Ohio, or opening the bed of the river at that place.

The present state of the national finances, and the effect which engaging in many expensive works at the same time, would produce, in raising the price of labor, seems to point out the policy of applying the public means to one, or only a few of these objects, in the first instance.

The difficulty and delicacy of selecting a particular object from among many others of acknowledged importance and great interest, is sensibly felt. In making the decision, general interests must be kept in view, and be held superior to local considerations. It appears proper that when the government authorize the expenditure and application of public monies, to one of these objects they should at the same time adopt a system, calculated to insure, in due time, the execution of other works, requiring their aid.

After due consideration, and that examination which the committee have been able to give to

the subject, they respectfully recommend to the consideration of congress, "The Chesapeake and Delaware Canal," being in their opinion of the first importance, and requiring the aid of the general government. It forms the central link in that great chain of inland navigation along the sea coast, proposed to be opened. It is believed, from the best evidence, to be practicable of execution, and of itself, unconnected with other improvements, will afford the most extensive advantages. On this the committee will make a special report.

Of the different modes which might be devised of applying public monies to objects of internal improvements, that of authorizing subscriptions for a limited number of shares of the stock of companies incorporated for the purpose, appears, on every consideration, to be the most eligible. By limiting the number of shares to be subscribed, to a third, or less than one half, of the whole stock, there is more security that the government shall not become engaged in impracticable projects for improvements, and also for the economical expenditure of the funds, than would be, on the plan of a direct application by government, of the public monies.

The committee, in order to ascertain what funds may be made applicable to the objects of internal improvement, with due regard to the state of the finances, and demands on the treasury, requested information from the treasury department. The information obtained, accompanies this report. It will be observed that the surplus revenue applicable to these objects, is hypothetically stated in the secretary's letter, as necessarily it must be, in the present state of the revenue laws.

It appears, however, under any contemplated change in the existing system, that the revenue would be sufficient to supply, after the present year, and during a state of peace, an annual appropriation of 600,000 dollars for the purpose of internal improvement. That sum would constitute a fund capable of effecting many valuable objects of that kind; and, under prosperous circumstances, the fund might be gradually augmented in the proportion of the decrease of the public debt. But, if it shall enter into the policy of government to authorize expenditures in the execution of the works calculated for public advantage and general convenience, the same policy will direct to the provision of the means. For it cannot be doubted that the resources of the nation are amply sufficient, when brought in aid of private means, to effect every object of improvement on roads and canals, that are of an extensive nature, and of national concern.

The committee respectfully propose that an annual appropriation be made to constitute a fund for making roads and opening canals; that the fund shall be put under the direction of the secretary of the treasury, who shall, whenever authorized by congress, subscribe for shares in the stock of companies incorporated for making artificial roads or opening canals; and shall pay out of the aforesaid fund the instalments as they become due on such shares: and that any dividend thence arising, when any work shall be completed, shall be paid into, and become a part of said fund, and the secretary shall report, at each session, to congress, all expenditures, and the general state of the fund, as well as the state of the works in which the government are concerned.

The committee have directed a bill to be reported embracing the above provisions.

Treasury Department, Jan. 20th, 1816.

SIR—In your letter of 27th ultimo, information is requested upon the two following points: 1st. In case the revenue laws should be modified according to the plan proposed by the secretary of the treasury, whether the surplus revenue arising from permanent sources would authorize a standing appropriation of monies, annually applicable to the construction of roads and canals, and to what amount. 2. In case the creation of stock should be authorized, redeemable at a future period, to be employed in the purchase of shares in companies formed for making roads and opening canals, what particular branches of the existing revenue would be most proper to charge; and to what amount, with the redemption of such stock.

In answer to the first enquiry, I have the honor to state, that if the revenue were permanently established upon the footing proposed in the report from this department of the 6th of December last, and if the public expenditures should not exceed the annual surplus of revenue, which might be estimated, during the continuance of the peace, at about four millions of dollars. Whether the facts assumed by which this result is produced, will actually exist, can only be ascertained when the intentions of congress upon these points shall have been developed. As to the second enquiry, it may be observed, that there are no branches of the existing revenue which are not already pledged, either especially, or in a general manner, for expenditures already authorized, excepting certain duties which will expire on the 17th February next—and which, if continued by congress after that time, will probably be substituted in lieu of other duties which are now pledged, and which will be diminished or entirely abolished. If stock should be issued under any modifications, for the purposes of internal improvements, there is therefore no branch of the revenue which could be exclusively charged with its redemption, without violating prior appropriations and pledges. But as the aggregate mass of the revenue is estimated, after the year 1816, to exceed the aggregate amount of the charges upon it, this surplus, if congress should think proper, might be applied either directly to the defraying of the expenses of internal improvements, or if stock should be issued, as a fund for its redemption. No necessity is perceived for issuing stock for this purpose, unless it shall be determined to commence the expenditures before the termination of the present year; during which year there will be no surplus of revenue. After its expiration, when there shall be a surplus, there can be no reason for constituting stock, or, in other words, for borrowing money. The money in hand derived from the surplus revenue, can be applied directly to the purpose proposed. I have the honor to be, &c.

A. J. DALLAS.

CITY OF WASHINGTON.

Extract of a letter from the superintendent of the city of Washington, to the president of the United States, transmitting a general account of receipts and expenditures in the city of Washington, "under the authority of the United States," prepared in

obedience to a resolution of the house of representatives of 7th February, 1816, passed on motion of Mr Jewitt.

Aggregate amount of expenditures from 1799 to 1816, including the whole cost of the public buildings, as they stood on the 24th August, 1814, the day the same were destroyed by the British; surveying the city and territory; payment for grounds reserved for the use of the states, and all other expenses whatever, incurred under the direction of the board of commissioners, abolished in 1802, and of their successor in office, the superintendent of the city,

\$1,746,014 46

Which was received from the following sources,

viz.

United States treasury, 970,944 08

Donation from

Virginia 120,000

Do. from Mary-

land 72,000

192,000

Do. from original proprietors of the city, being the amount raised from sales of lots assigned as a grant to the U. States,

583,072 38

1,746,014 46

The same resolution also requires an estimate "of the probable value of the public property remaining on hand." This property consists of,

1st. 5,200 standard lots of 5,265 square feet each, which estimated at 180 dollars, the average price of the lots heretofore sold, would amount to

\$936,000

2dly. 541a. 1r. 29p. of ground in the city of Washington, reserved for the use of the United States, estimated at the same price of the building lots, though generally much more valuable, would amount to about

740,000

3dly. Lands and free-stone quarries in Virginia, wharves and water lots in the city of Washington, and debts due for property heretofore sold, estimated at

48,000

Making together

1,724,000

If to this sum be added the cost of "surveying the city and territory, and preparing suitable buildings" for the accommodation of congress and of the other branches of the government, as required by the law establishing the permanent seat—(this cost being, per the accompanying account,)

1,323,479 83

3,047,479 83

And all advances made from the treasury of the United States be deducted therefrom, viz.

Drawn by superintendent of the city, and the commissioners, his predecessors in office, as within stated,

970,944 08

2,076,535 75

It will appear, that, before the public buildings were destroyed, the objects were required by the before recited law establishing the permanent seat of government had been effected, not only without probable ultimate cost to the United States, but that government had derived a property, probably worth upwards of two millions of dollars, from the donations of the states of Virginia and Maryland, and those made by the original proprietors of the city; or in another view of the subject it seems probable that those donations will prove sufficient to defray the expense of accomplishing the before mentioned objects of the permanent establishment here, and of reimbursing all the before stated advances from the United States treasury, leaving a sum of upwards of two hundred thousand dollars for other purposes.

THE SINKING FUND.

Report of the commissioners of the sinking fund, showing the measures which have been authorized by the board subsequent to their last report, of the 6th of February, 1815, so far as the same have been completed.

The commissioners of the sinking fund respectfully report to congress as follows:

That the measures which have been authorized by the board subsequent to the last report of the 6th of February, 1815, so far as the same have been completed, are fully detailed in the report of the secretary of the treasury to this board, dated the sixth day of the present month, and in the statements therein referred to, which are herewith transmitted and prayed to be received as part of this report.

JOHN GAILLARD,

President of the senate pro tempore.

J. MARSHALL,

Chief-justice of the United States.

JAMES MONROE,

Secretary of State.

A. J. DALLAS,

Secretary of the treasury.

WASHINGTON, February 7th, 1816.

REPORT.—The secretary of the treasury respectfully reports to the commissioners of the sinking fund,

That the balance of monies advanced on account of the public debt, remaining unexpended at the end of the year 1813, and applicable to payments falling due after that year, which balance, as appears by the statement B. annexed to the last annual report, amounted to

\$761,205 75

Together with the sums disbursed from the treasury, during the year 1814, on account of the principal and interest of the public debt, which sums, as appears by the statement C. annexed to the last annual report, amounted to

8,386,880 59

Together with the further sum arising from profit in exchange on remittances from America to Europe, during the year 1814, amounting as appears by statement D. annexed to the last annual report, to

19,827 61

And amounting to

\$9,167,913 95

Have been accounted for in the following manner, viz.

There was repaid into the treasury during the year 1814, on account of the principal of monies heretofore advanced for the payment of the public debt, as appears by the statement E. annexed to the last annual report, the sum of

286,336 65

The sums actually applied, during the year 1814, to the payment of the principal and interest of the public debt, as ascertained by accounts rendered to this department, amounted, as will appear by the annexed statement A. to the sum of \$8,940,074 08, viz.

In reimbursement of the principal of the public debt,

4,283,692 34

On account of the interest and charges on the same,

4,656,381 74

8,940,074 08

But of this sum there was short provided, consisting of unclaimed dividends on the public debt, not demanded or applied for by the proprietors, as per the annexed statement B,

58,496 78

8,881,577 30

\$9,167,913 95

That during the year 1815, the following disbursements were made out of the treasury, on account of the principal and interest of the public debt, viz.

On account of the interest and reimbursement of the funded domestic debt, 6,373,847 73

On account of the principal and interest of the registered debt, 6 49

On account of the principal and interest of temporary loans, viz.

Reimbursement of principal 1,800,000
Payment of interest, 69,230 07
1,869,230 07

On account of principal and interest of treasury notes, 3,872,708 95

On account of the interest on the Louisiana stock, payable in Europe, 724,136 11

Amounting together, as will appear by the annexed list of warrants, marked C, to the sum of \$12,839,929 35

Which disbursements were made out of the following funds, viz.

I. From the balance of the annual appropriation of eight millions of dollars for the year 1814, remaining unexpended at the end of that year, which balance amounted, as stated in the last annual report, to 341,710 17

II. From the funds constituting the annual appropriation of eight millions of dollars for the year 1815, viz.

From the fund arising from the interest on the debt transferred to the commissioners of the sinking fund, as per statement I, 1,969,577 64

From the fund arising from the nett proceeds of the sales of public lands, 1,200,000

From the proceeds of duties on goods, wares, and merchandise, imported, and on the tonage of vessels, 4,830,422 36
3,000,000 00

III. From the proceeds of the duties on goods wares, and merchandise imported, and on the tonage of vessels, and from the proceeds of the direct tax and internal duties, in advance; and on account of the annual appropriation of eight millions of dollars for the year 1816, 4,498,219 18

\$12,839,929 35

That the aforesaid sum of twelve millions, eight hundred and thirty-nine thousand, nine hundred and twenty-nine dollars and thirty-five cents will be accounted for in the next annual report, in conformity with the accounts which shall then have been rendered to this department.

That in the mean time, the manner in which the said sum has been applied is estimated as follows, viz:

There is estimated to have been applied to the payment of the deficiency of the provision at the end of the year 1814, as above stated, the sum of 58,496 78

There was paid for loss in exchange on remittances from America to Europe, during the year 1815, as exhibited in the annexed statements marked D, the sum of 53,038 17

There is estimated to have been applied during the year 1815, to the reimbursement of the principal of the public debt, 7,034,016 48

And to the payment of the interest on the same 5,606,965 02

\$12,640,981 50

As will appear by the annexed estimate F.

And there is estimated to have been left unsupplied at the end of the year 1815, as per annexed estimate G, and a sum applicable to payments on account of the public debt during the year 1816, of 87,412 99

\$12,839,929 35

That all the temporary loans which became payable during the year 1815, were paid; but the two instalments amounting to 500,000 dollars which became payable at the state bank, Boston, in the month of December, 1814, and which were not then paid, still remain unpaid from the inability of the treasury, to apply the monies, within its control to that object, owing to the disordered state of the public currency.

That during the year 1815, and on the 1st day of January, 1816, treasury notes charged upon the sinking fund, fell due amounting to 7,847,280 dollars. It was not within the power of the treasury to make provision for the payment of any part of these notes, or of those which had fallen due and had not been paid in the preceding year, (with the exception of such as were applied by their holders to the payment of duties and taxes,) until the 1st of July, 1815; when provision was made and public notice thereof given, for the reimbursement of such treasury notes as had, previously to that time, become payable at Baltimore and Washington. The same provision was made on the 1st of August, for those previously payable at Philadelphia; on the 1st of September, for those previously payable at Savannah; and on the days when they respectively became payable, for those reimbursable at all other places, with the exception of New-York and Boston, at neither of which places have funds yet been obtained, to an extent sufficient to meet the payments of the treasury notes reimbursable at those two places respectively. The annexed statement marked L, shows the time, when, and the places at which all the treasury notes reimbursable in the year, 1815, and on the 1st day of January, 1816, became payable.

A statement marked H, is annexed which exhibits the whole amount of stock transferred to the commissioners of the sinking fund, and standing to their credit in the books of the treasury on the last day of December, 1815. All which is, respectfully submitted.

A. J. DALLAS, *secretary of the treasury.*

Treasury Department, Feb. 6, 1816.

[Here follow the various details, all which are sufficiently explained for general purposes, except the account of stocks transferred, &c. of which the statement follows—Ed.]

SATURDAY, APRIL 6, 1816.

Vol. I.]

[No. 6.]

A GENERAL STATEMENT

Of the several stocks transferred to the United States to the 31st December, 1815, the interest on which, by the acts of the 8th May, 1793, and the 3d March, 1795, is appropriated for the redemption of the public debt.

Reimbursement of foreign debt, to the 31st Dec. 1809, of the 6 per cent. stock, of the 5 per cent. stock, of the 4 1/2 per cent. stock, of the 4 per cent. stock, of the 3 per cent. stock, of the 2 per cent. stock, of the 1 per cent. stock, of the 1/2 per cent. stock, of the 1/4 per cent. stock, of the 1/8 per cent. stock, of the 1/16 per cent. stock, of the 1/32 per cent. stock, of the 1/64 per cent. stock, of the 1/128 per cent. stock, of the 1/256 per cent. stock, of the 1/512 per cent. stock, of the 1/1024 per cent. stock, of the 1/2048 per cent. stock, of the 1/4096 per cent. stock, of the 1/8192 per cent. stock, of the 1/16384 per cent. stock, of the 1/32768 per cent. stock, of the 1/65536 per cent. stock, of the 1/131072 per cent. stock, of the 1/262144 per cent. stock, of the 1/524288 per cent. stock, of the 1/1048576 per cent. stock, of the 1/2097152 per cent. stock, of the 1/4194304 per cent. stock, of the 1/8388608 per cent. stock, of the 1/16777216 per cent. stock, of the 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THE FINE ARTS.

At a meeting of the Columbian Society of Artists, held on the 1st instant, the following resolutions were adopted:

Resolved unanimously, that it is expedient for the society of Artists to exhibit at the present period.

Resolved, that a committee be appointed to address the public on the occasion.

The committee having accordingly met, beg leave to offer the following communication.

The grand object the society of Artists had in view when forming their institution, was to establish at Philadelphia, annual exhibitions of the works of American artists. It was confidently believed that such exhibitions would have an important effect in cultivating public taste, and improving artists, and that their various talents would be more fully developed, and the merits of their productions better understood.

The society of artists however respectable as to numbers, and talents, were without pecuniary means to carry their views into effect, and their exhibitions in connection with the Pennsylvania academy, not having relieved the society from their pecuniary wants, and as it rarely happens that two societies can be so intimately connected together as to yield much advantage to either, the society of artists have determined to rely on their own exertions, and feel confident that the public will appreciate their endeavours. For part of the means to enable them to meet the public expectation, they are about to apply to the legislature of Pennsylvania, and have no doubt from the readiness with which that assembly met their former views, and incorporated them as a body, of meeting with assistance to enable them to carry their exertions into effect.

The address published by the society of artists, on the 3d of April, 1815, as it contains the reasons for not exhibiting at that period, which reasons still continue to exist—The society have deemed it proper to republish.

The Columbia society of artists are sorry to inform the public that they are under the necessity of postponing their fifth exhibition until the spring of next year.

The very liberal patronage which the society has received from its establishment does equal honor to the patriotism and taste of the American people. The society are proud to acknowledge that their public efforts to improve the arts have been powerfully stimulated by the favorable manner in which their exhibitions have been received. The society, however, would do justice neither to themselves nor to the objects they have in view, were they any longer to conceal the imperious causes that have prevented them from offering to the public, at the usual time, their fifth annual exhibition.

It is a well known fact that there are but few artists of eminence in any country, even when warmed and cherished in the sunshine of royal and imperial patronage. In a republic the artist is rewarded only as he is useful. Our political institutions having a tendency to a more equal distribution of wealth than can possibly exist under a monarchical or aristocratical government, leave the artist but little to expect from individual patronage. Neither the local situation of our country nor the general pursuits of our artists, will admit either of a large or stationary assemblage of professional men in any particular place. The establishment of a society of ar-

tists at Philadelphia, was intended as a remedy to this evil by drawing the artists more closely together, and the happy effect resulting from the labours of our young institution were just beginning to be felt when the country was involved in war, and it is a serious truth that no description of professional men sooner or more severely suffered from its effects than artists. Artists are but tender plants, although they are sometimes able among weeds, briars, and thorns, to raise their heads, and for awhile enjoy the sunshine of public favour and patronage: yet it more frequently happens that they are destroyed by the insects of an hour, or nipped by the chilling wind of poverty, they languish, wither and die.

The materials necessary to form an exhibition, are many and difficult to procure. In the first place works of merit are slow in execution, and it is but too true that some of our first artists instead of pursuing the higher branches of their art to acquire fame, are under the necessity of following the inferior in order to procure the means of living. Secondly, not only a number of first rate productions are required, but it is also necessary that they should be mostly original. Novelty ought to be a prominent feature in all exhibitions. Thirdly, the transportation of pictures from distant parts is not only attended with expense but danger. There are many other circumstances well known to artists, which the society think unnecessary to state, that increase these difficulties. The society have therefore declined giving their fifth exhibition, until they are able to offer it in a style to do credit to themselves, and worthy of public patronage.

The society are willing to hope that a new era is about to commence in the fine arts in America. The glorious achievements performed during our revolutionary struggles were of the first grade, and worthy the pencil, the chissel, or the graver of the first artists. But many of the deeds of valor, skill and patriotic bravery performed during the war, now terminated, have no parallel in history, and call loudly to be recorded by every art within the reach of man. The genius of the only republic on earth calls upon her artists to do justice to her heroes, she will not call in vain. They only require time and patronage to execute their labors to advantage.

The society are in hopes to obtain some legislative aid to enable them to erect suitable buildings for public exhibitions and schools. A memorial to that effect was actually drawn up previous to the adjournment of the general assembly of this state, but from the late period of the session and the great pressure of important public business, it was thought prudent to defer its representation until their next meeting in December. The plan adopted by the society of contributing to every artist who exhibits a due proportion of the proceeds of their exhibitions, they are in hopes, will prove a great inducement (particularly to distant artists) to send their productions. The society also confidently expect assistance from several distinguished American artists now in foreign countries.

ROBERT MILLS, Sec'y.

FROM AN ENGLISH PAPER.

FOOT-BALL MATCH.

On Monday, 4th December, there was played, upon the extensive plain of Caterhaugh, near the

junction of the Ettrick and Yarrow, the greatest match at the ball which has taken place for many years. It was held by the people of the Dale of Yarrow, against those of the parish of Selkirk; the former being brought to the field by the right hon. the Earl of Home, and the gallant sutors by their chief magistrate, Ebenzer Clarkson, Esq. Both sides were joined by many volunteers from other parishes, and the appearance of the various parties marching from their different glens to the place of rendezvous, with pipes playing and loud acclamations, carried back the coldest imagination to the old times when the foresters assembled with the less peaceable purpose of invading the English territory, or defending their own. The romantic character of the scenery aided the illusion, as well as the performance of a feudal ceremony previous to commencing the games.

His grace the Duke of Buccleuch and Queensberry came upon the ground about 11 o'clock, attended by a numerous concourse of gentlemen and ladies. The ancient banner of the Buccleuch family, a curious and venerable relique, emblazoned with armorial bearings, and with the word "*Bellendaine*," the ancient war cry of the clan of Scott, was then displayed, as on former occasions, when the chief took the field in person, whether for the purpose of war or sport. The banner was delivered by lady Ann Scott to master Walter Scott, younger of Abbotsford, who attended suitably mounted and armed, and riding over the field, displayed it to the sound of the war pipes, and amid the acclamations of the assembled spectators, who could not be fewer than 2000 in number. That this singular renewal of an ancient military custom might not want poetical celebrity, verses were distributed among the spectators, composed for the occasion by the Ettrick Shepherd and Mr. W. Scott. The former (Mr. James Hogg) acted as aid-de camp to the Earl of Home in the command of the Yarrow men, and Mr. Robert Henderson of Selkirk to Mr. Clarkson, both of whom contributed not a little to the good order of the day.

The ball was thrown up between the parties by the Duke of Buccleuch, and the first game was gained, after a severe conflict of an hour and a half duration, by the Selkirk men. The second game was still more severely contested, and after a close and stubborn struggle of more than three hours, with various fortune, and much display of strength and agility on both sides, was at length carried by the Yarrow men. The ball should then have been thrown up a third time, but considerable difficulty occurred in arranging the voluntary auxiliaries from other parishes, so as to make the match equal; and, as they began to close, it was found impossible to bring the strife to an issue, by playing a decisive game.

Both parties, therefore, parted with equal honors, but before they left the ground, the sheriff threw up his hat, and in Lord Dalkeith's name and his own, challenged the Yarrow men, on the part of the sutors, to a match to be played upon the first convenient opportunity, with 100 picked men only on each side. The challenge was mutually accepted by Lord Home, on his own part, and for Lord John Scott, and was received with acclamations by the players on both sides. The principle gentlemen present took part with one side or the other, except the duke of Buccleuch, who remained neutral. Great play is ex-

pected, and all bets are to be paid by the losers to the poor of the winning parish. We cannot dismiss the subject without giving our highest commendation to the Earl of Home, and to Mr. Clarkson, for the attention which they shewed in promoting the spirit and good order of the day. For the players themselves, it was impossible to see a finer set of active and athletic young fellows than appeared on the field. But what we chiefly admired in their conduct was, that though several hundreds in number, exceedingly keen for their respective parties, and engaged in so rough and animated a contest, they maintained the most perfect good humor, and showed how unnecessary it is to discourage manly and athletic exercises among the common people, under pretext of maintaining subordination and good order. We have only to regret, that the great concourse of spectators rendered it difficult to mention the names of the several players who distinguished themselves by feats of strength or agility; but we must not omit to record, that the first ball was hailed by Robert Hall, mason in Selkirk, and the second by George Brodie, from Greatlaws, upon Ale Water.

The Selkirk party wore sprigs of fir as their mark of distinction—the Yarrow men slips of heath.

Refreshments were distributed to the players by the Duke of Buccleuch's domestics, in a booth erected for the purpose; and no persons were allowed to sell ale or spirits on the field.

In the evening there was a dance at the Duke's hunting seat at Bowhill; attended by the Nobility and gentry who had witnessed the sport of the day; and the fascination of Gow's violin and band detained them in the dancing room till the dawn of the winter morning.

The following are the songs above alluded to:

THE ETTRICK GARLAND.

Being two excellent New Songs, on the Lifting of the Banner of the House of Buccleuch, at the great Foot-Ball Match, on Carterhaugh, December 4, 1815.

THE LIFTING OF THE BANNER.

From the brown crest of Newark, its summons extending,

Our signal is waving, in smoke and in flame,
And each forester blithe, from his mountain descending,

Bounds light o'er the heather to join in the game,

CHORUS.

Then up with the banner, let forest winds fan her,
She has blazed over Ettrick eight ages and more;
In sport we'll attend her, in battle defend her,

With heart and with hand, like our fathers before,

When the Southern invader, spread waste and disorder,

At the glance of her crescent he paused and withdrew;

For around them were marshalled the pride of the border,

The flowers of the forest, the bands of Buccleuch.
Then up with the banner, &c.

A stripling's weak hand to our revel has borne her
No mail-glove has grasped her; no spearmen surround.

But ere a bold foeman should scathe or should
scorn her,

A thousand true hearts would be cold on the
ground.

Then up with the banner, &c.

We forget each contention of civil dissention,

And hail, like our brethren, Home, Douglas, and
Car,

And Elliott and Pringle in pastime shall mingle,
As welcome in peace as their fathers in war.

Then up with the banner, &c.

Then strip, lads, and to it, though sharp be the
weather;

And if, by mischance, you should happen to fall,
There are worse things in life than a tumble on
heather,

And life is itself but a game at foot-ball.

Then up with the banner, &c.

And when it is over, we'll drink a blithe measure
To each laird and each lady that witnessed our
fun.

And to every blithe heart that took part in our
pleasure,

To the lads that have lost and the lads that have
won.

Then up with the banner, &c.

May the Forest still flourish, both borough and
landward,

From the hall of the peer to the herd's ingle nook;
And huzza, my brave hearts, for Buccleuch and his
standard;

For the King and the country, the clan and the Duke.

Then up with the banner, &c.

Quoth the sheriff of the Forest.

Abbotsford, Dec. 1, 1815.

TO THE ANCIENT BANNER OF THE HOUSE OF

BUCCLEUCH.

And hast thou here, like hermit grey,

Thy mystic characters unroll'd,

O'er peaceful revellers to play,

Thou emblem of the days of old?

Or com'st thou with the ve'tran's smile,

Who deems his day of conquest fled,

Yet loves to view the bloodless toil

Of sons, whose sires he often led?

Not such thy peaceable intent,

When over border, waste, and wood,

On foray and achievement bent,

Like eagle on the path of blood.

Symbol to ancient valor dear,

Much has been dared and done for thee,

I almost weep to see thee here,

And deem thee raised in mockery.

But, no! familiar to the brave,

'Twas thine, thy gleaming moon and star,

Above their manly sports to wave,

As free as in the field of war.

To thee the faithful clansman's shout,

In revel as in rage, was dear;

The more beloved in festal rout,

The better fenced when foes were near.

I love thee for the olden day,

The iron age of hardihood,

The rather that thou lead'st the way

To peace and joy, through paths of blood;
For were it not the deeds of weir,

When thou wert foremost in the fray,

~~We had not been assembled here,~~

Rejoicing in a father's sway.

And even the days ourselves have known,

Alike the moral truth impress—

Valor and constancy alone

Can purchase peace and happiness;

Then hail! memorial of the brave,

The liegeman's pride, the border's awe;

May thy grey pennon never wave

On sterner field than Cartherhaugh.

Quoth the Etrick Shepherd.

Altrive Lake, Dec. 1, 1815.

ST. LOUIS.—From a late census it appears that
the town of St. Louis, in the Missouri territory,
contains 2000 souls; and the county, exclusive of
the town, 5395, making 7395 in all.

TO SUBSCRIBERS.

We now present the Register to our readers in
the dress we intended it hereafter to wear. If it
be not gay, it is plain and decent, and it shall be
our endeavour at all times to send it into company
clean and comely, which is esteemed the better part
of elegance. We must crave the continuance of
our patrons indulgence for the delay, that still ex-
ists, of the publication of our numbers so long af-
ter their date. The cause heretofore has been be-
yond our control, but we hope soon to appear in
proper time.

An error took place in the arrangement of the
matter in our last number, in the absence of the
editor, not less mortifying than ridiculous. It will
be perceived that the general head of "*Public docu-
ments*," began at page 66, and at page 71, another
subject headed "*Commercial*," is introduced, which
is followed by captain Riley's narrative of his "*Ship-
wreck*," and at page 73 the public documents is re-
sumed. Whether the directions given to the prin-
ter for the arrangement of the matter, was mis-
understood, or forgotten, we will not attempt to
conjecture: it is enough to know that it is irremi-
diable. We hope not to have occasion shortly to
crave pardon for a like mistake.

Gentlemen at a distance in ordering the Nation-
al Register, will please to be particular to name the
state in which the post-office is situated, where they
wish the paper to be addressed. This in many
cases is indispensable, as will appear from one ex-
ample. There are thirteen post towns in the Unit-
ed States, besides this city, by the name of WASH-
INGTON. Now suppose a letter to be received da-
ted at either of these places, without the state be-
ing designated, who could pretend to determine to
which particular place to direct an answer?

The proprietor of the Register, has more than
one letter in his possession, to which he cannot re-
ply, because the state is not known. He has one
also, dated Harrison county Ohio, inclosing a bank
note, and ordering the Register, which bares no
mark of the post-office at which it was mailed, or
to which the paper should be directed, therefore
its contents cannot be complied with.